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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Jerry V. Mayeux  
Serial No.: 10/797,983  
Filed: March 10, 2004  
Title: PAIN BALM

Examiner: Unknown  
Group Art Unit: 1654  
Docket: 30310-US-548

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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicant respectfully requests that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicant requests that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicant with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 13-4213 in order to have this Information Disclosure Statement considered.

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The Examiner is invited to contact the Applicant's Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

Date September 17, 2004

By

Jeffrey D. Myers

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 17<sup>th</sup> day of September, 2004.

Name \_\_\_\_\_

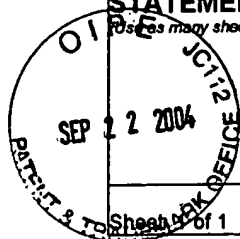
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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number 10/797,983

Filing Date March 10, 2004

First Named Inventor Mayeux, Jerry

Group Art Unit 1654

Examiner Name Unknown

Attorney Docket No: 30310-US-548

**US PATENT DOCUMENTS**

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-2001/0002406	05/31/2001	Robbins, Wendye R.	A61K 31/16		01/25/2001
	US-2001/0011083	08/02/2001	Barr, Teresa L., et al.	A61K 35/78		03/06/2001
	US-4,486,450	12/04/1984	Bernstein, Joel E.	A61K 31/16 5		07/14/1980
	US-4,536,404	08/20/1985	Bernstein, Joel E.	A61K 31/16 5		06/16/1983
	US-6,197,823	03/06/2001	Barr, Teresa L., et al.	A61K 31/16		09/29/1999

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T <sup>2</sup>
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**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		CHATTEM, "CAPZASIN-HP", Product packaging for arthritis pain relief, CAPZASIN-HP contains purified capsaicin, natural ingredient; Capsaicin (0.075%), (2000),	
		DEWITT, DAVE, "THE CHILE PEPPER ENCYCLOPEDIA", William Morrow and Company, New York, (1999), 118-136	
		DEWITT, DAVE, et al., "THE HEALING POWERS OF PEPPERS", Three Rivers Press, New York, NY, 1982, pp.92-131, with Chile Pepper recipes and folk remedies for better health and living, (1998), 92-131	
		DEWITT, DAVE, et al., "THE WHOLE CHILE PEPPER BOOK", Little, Brown and Company, Boston, (1990), 76-79; 182-183	
		STIEFEL, "CAPSAGESIC-HP", Product packaging for CAPSAGESIC-HP Cream, CAPSAGESIC-HP Cream contains capsicum oleoresin (Capsaicin 0/075%), (2000),	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached